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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: James Weldon
Serial No.: 10/825,059
Filed: 04/15/2004
Group Art Unit: 2836
Examiner: Patel, Dharti Haridas
For: AUTOMATIC MOTOR OUTPUT-TO-INPUT POWER
CALCULATOR

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Final Office Action mailed on October 10, 2006.
Applicant respectfully requests reconsideration of this application.

Applicant respectfully submits there is no *prima facie* case of obviousness. The Examiner points to paragraphs 0041-0047 of *Motsenbocker* as a basis for disagreeing with Applicant's position. None of those paragraphs include anything about entering values of a motor output or anything that automatically determines a motor input power setting based upon entered motor output values. The determinations made in paragraphs 0041-0047 all have to do with output regarding cavitation and whether there is propeller slip. There is nothing that determines input power setting in any of paragraphs 0041-0047. Therefore, there is nothing in those paragraphs that in any way corresponds to Applicant's arrangement that utilizes motor output values for automatically determining motor input power settings.

There is no reason to modify the *Motsenbocker* reference in an attempt to make it consistent with Applicant's claims apart from trying to use hindsight reasoning to

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reconstruct *Motsenbocker* into an arrangement that would somehow be consistent with Applicant's claimed invention. This is not permissible when attempting to establish a *prima facie* case of obviousness. There would be no benefit to the boat propeller slip determining arrangement of the *Motsenbocker* reference if one were to modify it to somehow make it consistent with Applicant's claims. There is no reason, for example, to enter a motor output value and then have a device on the boat automatically determine some motor input value based upon that. Without any benefit to a proposed modification of a reference, there is no *prima facie* case of obviousness because there is no motivation for making the Examiner's proposed modification.

All claims are allowable.

Respectfully submitted,

CARLSON, GASKEY, & OLDS

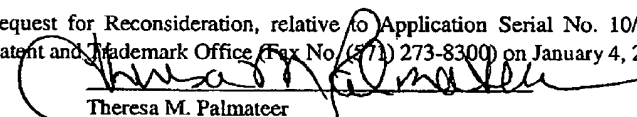
By: 

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Dated: January 4, 2007

CERTIFICATE OF FACSIMILE

I hereby certify that this Request for Reconsideration, relative to Application Serial No. 10/825,059 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (877) 273-8300) on January 4, 2007.


Theresa M. Palmateer

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